

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

JOSHUA SITZER AND AMY)
WINGER, SCOTT AND RHONDA)
BURNETT, AND RYAN)
HENDRICKSON, on behalf of)
themselves and all others similarly situated,)

Plaintiffs,)

No: 4:19-cv-00332-SRB

v.)

CLASS ACTION

THE NATIONAL ASSOCIATION OF)
REALTORS, REALOGY HOLDINGS)
CORP., HOMESERVICES OF AMERICA,)
INC., BHH AFFILIATES, LLC, HSF)
AFFILIATES, LLC, RE/MAX LLC,)
and KELLER WILLIAMS REALTY,)
INC.)

Judge Stephen R. Bough

Defendants.)

JOINT MOTION FOR ENTRY OF REMOTE DEPOSITION PROTOCOL

Plaintiffs, Joshua Sitzler, Amy Winger, Scott and Rhonda Burnett, and Ryan Hendrickson (“Plaintiffs”), and Defendants, The National Association of Realtors, Realogy Holdings Corp., HomeServices of America, Inc., BHH Affiliates, LLC, HSF Affiliates, LL, RE/MAX LLC, and KELLER WILLIAMS REALTY, INC. (“Defendants”) (collectively the “Parties”), jointly move the Court for entry of a Stipulated Order Governing the Taking of Remote Depositions (the “Remote Deposition Protocol”). Good cause exists for the entry of the Remote Deposition Protocol. In support of this Motion, the Parties state:

1. The Parties are currently engaged in discovery and desire to depose witnesses in this Action.

2. The Remote Deposition Protocol will facilitate depositions that are conducted via video and where the witness and one or more examining attorneys are in different physical locations at the time of the deposition.

3. The Parties have met and conferred in good faith and agreed upon the parameters for the parameters set forth in the proposed Remote Deposition Protocol. As the Court will recall, the Parties previously sought the Court's resolution of one issue in the Protocol concerning exhibits. The Court's order on that issue (Dkt. 420) has been incorporated into the Remote Deposition Protocol. All remaining issues have now been resolved by the Parties.

4. The Parties state that good cause exists for the entry of the proposed Remote Deposition Protocol to specify the procedure for remote depositions.

5. Pursuant to the CM/ECF Administrative Procedures Manual and Users Guide for the Western District of Missouri, the proposed Remote Deposition Protocol is not attached to this Motion but is submitted to the Court in Word format via email to Tracey_Richard@mow.uscourts.gov.

WHEREFORE, for the reasons set forth above, the Parties request that this Motion be granted and the Court enter the proposed Stipulated Order Governing the Taking of Remote Depositions.

Dated: February 10, 2021

Respectfully submitted,

Counsel for Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2021, a copy of the foregoing document was filed with the court's electronic filing system which will send a notification of the filing to all counsel of record.

/s/ Kenneth M. Kliebard
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